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June 6, 2023

Via CM/ECF

Honorable Jennifer L. Rochon
United States District Court
Southern District of New York
500 Pearl Street, Room 1920
New York, NY 10007

The Court will address the parties' request at the June 13, 2023 Initial Pretrial Conference.

Dated: June 7, 2023
New York, New York

SO ORDERED.

Jennifer Rochon
JENNIFER L. ROCHON
United States District Judge

Re: Spencer v. NYC Dep't of Education, 22-cv-10712 (JLR)

Dear Judge Rochon:

I am an Assistant Corporation Counsel in the Office of the Honorable Sylvia Hinds-Radix, Corporation Counsel of the City of New York, attorney for Defendant New York City Department of Education.

The parties attended a mediation session today and despite their good faith efforts were unable to resolve the case. Accordingly, pursuant to the Court's order granting the adjournment of the Initial Pretrial Conference (ECF No. 22), the parties jointly request that the Court stay discovery pending a decision on Defendant's motion to dismiss Plaintiff's Amended Complaint. See Wills v. Amerada Hess Corp., 379 F.3d 32, 41 (2d Cir. 2004) (District courts have "broad discretion to direct and manage the pre-trial discovery process."); and Nieves v. Just Energy N.Y. Corp., No. 17-CV-561S, 2020 U.S. Dist. LEXIS 213610, at *12 (W.D.N.Y. Nov. 13, 2020) ("it would be wasteful for the parties to engage in extensive discovery prior to a ruling" on a motion to dismiss) (internal quotations and citation omitted).

The parties thank the Court for considering this request.

Respectfully submitted,

/s/ Joseph Reynolds
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